

CHAPTER 8: RISK MANAGEMENT PLAN (PART 68, SUBPART G)

You must submit one risk management plan (RMP) to EPA for all of your covered processes (§ 68.150). EPA is developing an electronic submission program for your use. If you cannot submit electronically, you may request a hardship waiver and submit your RMP on paper. In either case, your RMP is due no later than the latest of the following dates:

- g** June 21, 1999;
- g** The date on which a regulated substance is first present above a threshold quantity in a process; or
- g** Three years after the date on which a regulated substance is first listed by EPA.

EPA's automated tool for submitting RMPs, RMP*Submit™, discussed below, is available free from the EPCRA hotline (on disk) or can be downloaded from www.epa.gov/ceppo/.

8.1 ELEMENTS OF THE RMP

The length and content of your RMP will vary depending on the number and program level of the covered processes at your facility. See Chapter 2 for detailed guidance on how to determine the program levels of each of the covered processes at your facility.

Any facility with one or more covered processes must include in its RMP:

- g** An executive summary (§ 68.155);
- g** The registration for the facility (§ 68.160);
- g** The certification statement (§ 68.185);
- g** A worst-case scenario for each Program 1 process; at least one worst-case scenario to cover all Program 2 and 3 processes involving regulated toxic substances; at least one worst-case scenario to cover all Program 2 and 3 processes involving regulated flammables (§ 68.165(a));
- g** The five-year accident history for each process (§ 68.168); and
- g** A summary of the emergency response program for the facility (§ 68.180).

Any facility with at least one covered process in Program 2 or 3 must also include in its RMP:

- g** At least one alternative release scenario for each regulated toxic substance in Program 2 or 3 processes and at least one alternative release scenario to cover all regulated flammables in Program 2 or 3 processes (§ 68.165(b));
- g** A summary of the prevention program for each Program 2 process (§ 68.170); and
- g** A summary of the prevention program for each Program 3 process (§ 68.175).

Subpart G of part 68 (see Appendix A) provides more detail on the data required for each of the elements. The actual RMP form, however, contains more detailed guidance to make it possible to limit the number of text entries. For example, the rule requires you to report on the major hazards identified during a PHA or hazard review and on public receptors affected by worst-case and alternative case scenarios. The RMP provides a list of options for you to check for these elements. Except for the executive summary, the RMP consists primarily of yes/no answers, numerical information (e.g., dates, quantities, distances), and a few text answers (e.g., names, addresses, chemical identity). Where possible, RMP*Submit™ provides “pick lists” to help you complete the form. For example, RMP*Submit™ provides a list of regulated substances and automatically fills in the CAS numbers when you select a substance.

EPA provides instructions for each of the data elements to be reported in the RMP with RMP*Submit™. The instructions explain each data element and help you understand what acceptable data are for each. The instructions are available with the software and are posted on EPA’s web site.

8.2 RMP SUBMISSION

RMPs must be sent to:

The RMP Reporting Center
P.O. Box 3346
Merrifield, VA 22116-3346

ELECTRONIC SUBMISSION

EPA has made RMP*Submit™ available to complete and file your RMP. RMP*Submit™ does the following:

- g** Provides a user-friendly, PC-based RMP Submission System available on diskettes and via the Internet;
- g** Uses a standards-based, open systems architecture so private companies can create compatible software; and

- g** Performs data quality checks, accept limited graphics, and provide on-line help including defining data elements and providing instructions.

The software runs on Windows 3.1 and above. There will not be a DOS or MAC version.

HARD COPY SUBMISSION

If you are unable to submit electronically for any reason, just fill out the Electronic Waiver form available in the RMP*Submit™ manual and send it in with your RMP. See the RMP*Submit manual for more information on the Electronic Waiver. The forms are also available from <http://www.epa.gov/swercepp/rmpsubmt.html#steps> and from the EPCRA hotline (see Appendix C). If you submit on paper, you must use the official form. If you do not use the official form, your RMP can not be processed.

IMPORTANT REMINDERS

Do not forget your certification letter. A certification letter is required for all RMP submissions. See Chapter 3, Section F of the RMP*Submit User's Manual for more information on the certification letter

Protect your diskette against damage. Mail you diskette in a cardboard diskette mailer or put some padding around it.

Make sure your Executive Summary is in ASCII DOS Text format and that it is actually on the diskette submitted. If the Executive Summary is more than 32 KB, you need to save it as a text file and identify the name of the text file in RMP*Submit™. If you use a word processing program to develop the summary, you must save it as ASCII text.

8.3 RESUBMISSION AND UPDATES (§ 68.190)

When you are required to update and resubmit your RMP is based on whether and what changes occur at your facility. Please refer to the Exhibit 8-1 and note that you are required to update and resubmit your RMP on the **earliest** of the dates that apply to your facility:

WHEN DOES THE OFFSITE CONSEQUENCE ANALYSIS (OCA) NEED TO BE REVISED?

You'll need to revise your OCA when a change at your facility results in the distance to an endpoint from a worst-case release rising or falling by at least a factor of two. For example, if you increase your inventory substantially or install passive mitigation to limit the potential release rate, you should re-estimate the distance at an endpoint. If the distance is at least doubled or halved, you must revise the RMP. For most substances, the quantity that would be released would have to increase by more than a factor of five to double the distance to an endpoint.

HOW DO I DE-REGISTER?

If your facility is no longer covered by this rule, you must submit a letter to the RMP Record Center within six months indicating that your stationary source is no longer covered.

EXHIBIT 8-1 RMP UPDATES

CHANGE THAT OCCURS AT YOUR FACILITY	DATE BY WHICH YOU MUST UPDATE AND SUBMIT YOUR RMP
No changes occur	Within 5 years of initial submission
A newly regulated substance is first listed by EPA	Within 3 years of the date EPA listed the newly regulated substance
A regulated substance is first present above its threshold quantity in: -- a process already covered; or -- a new process.	On or before the date the quantity of the regulated substance exceeds the threshold in the process.
A change occurs that results in a revised PHA or hazard review	Within 6 months of the change
A change occurs that requires a revised offsite consequence analysis	Within 6 months of the change
A change occurs that alters the Program level that previously applied to any covered process	Within 6 months of the change
A change occurs that makes the facility no longer subject to the requirements to submit a Risk Management Plan	Submit a revised registration (indicating that the RMP is no longer required) to EPA within 6 months of the change

Qs & As
RMP UPDATES

Q. If a facility changes owners, but the manufacturing operations have not changed, are they required to update their RMP?

A. Yes. If the owner of a facility changes, the RMP on record with EPA should reflect the current owner by the date ownership changes or responsibility for operation of the facility is transferred. You do not have to update each section of your RMP if the only thing that has changed is the name of the owner. If the original RMP was submitted electronically, you must revise the original RMP as needed and submit the revised RMP on diskette. Since EPA will not alter your submission for you, sending EPA a letter about the change is not sufficient. Be sure to check the corrections box when RMP*SUBMIT prompts you for submission type. If the original submission was on paper, make the changes in red ink on the printout of your RMP submission that the RMP Reporting Center mailed back to you to retain for your records. Whether you submitted on paper or diskette, you also must submit a new certification letter reflecting the new facility owner name.

Q. If a facility changes owners and significant changes have been made to plant operations is the facility required to update all sections of the RMP and resubmit it to EPA?

A. Yes. If the facility has new ownership and plant operations have changed significantly, the new facility owner/operator needs to send EPA a new diskette with all sections of the RMP updated. You will receive a recalculated anniversary date based on this new submission. Be sure to check Re-submission when RMP*SUBMIT prompts you for submission type.

Q & A
“REVISING” A PHA

Q. The rule states that I have to update my RMP whenever I revise a PHA. What constitutes a revised PHA? Every time I go through management of change procedures I make a notation in the PHA file for the process, but would that constitute a revised PHA if the change did not affect the validity of the PHA?

A. All changes (except replacement in kind) are subject to the management of change of procedures. When processes undergo minor changes (e.g., minor rerouting of a piping run), information is typically added to a PHA file to reflect the change, even though the validity of the PHA is not affected by the modification. These minor changes and the addition of information about the change to the PHA file are not considered a 'revision' of the PHA under the part 68. Major changes that invalidate a PHA, leading you to 'update' or 'revalidate' the PHA so that it accurately reflects the hazards of the process, are considered a revision of the PHA under part 68.

